

**ZONING COMMITTEE  
MINUTES  
WEDNESDAY, JULY 02, 2008**

The regularly scheduled meeting of the Zoning Committee was held on **Wednesday, July 2, 2008** in Council Chambers, at 11:10 a.m.

The following members were present:

**The Honorable Ivory Lee Young, Jr., Chair**  
**The Honorable Natalyn Archibong, Vice Chair**  
**The Honorable Howard Shook**  
**The Honorable Anne Fauver**  
**The Honorable Joyce Sheperd**  
**The Honorable C. T. Martin**

The following member was absent:

**The Honorable Carla Smith**

Others present at the meeting were: Charletta Wilson-Jacks, Zoning Administrator, Department of Planning and Community Development; City Attorneys Peter Andrews, and Jeffery Heymore, Law Department; and members of the Public and Council staff.

### **A. ADOPTION OF AGENDA - ADOPTED**

**B. APPROVAL OF MINUTES - APPROVED**

## CONSENT AGENDA

### C. ORDINANCES FOR FIRST READING

08-O-1263 ( 1) An Ordinance by Zoning Committee to rezone from the R-5  
**Z-06-79** (Two-Family Residential) District to the RG-3 (Residential  
 General-Sector 3) District, property located at **987 Myrtle  
 Street, NE**, fronting approximately 45.57 feet on the east  
 side of Myrtle Street.

Depth: Approximately 167 Feet  
Area: Approximately 0.17 Acre  
Land Lot: 106, 17<sup>th</sup> District, Fulton County, Georgia  
**(Remanded back by Fulton County Superior Court)**

Owner: Dillon Baynes

Applicant: Dillon Baynes

NPU-E

## Council District 6

FAVORABLE - TO BE REFERED TO ZRB AND ZONING COMMITTEE

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CONSENT AGENDA

C. ORDINANCES FOR FIRST READING (CONT'D)

08-O-1264 ( 2)  
**Z-08-39** An Ordinance by Zoning Committee to rezone from the I-2 (Heavy Industrial) District/BeltLine Overlay District to the MRC-3/BeltLine Overlay District (Mixed Residential Commercial) District, property located at **903 Huff Road, NW**, fronting approximately 935 feet on the north side of Huff Road, beginning 63.21 feet from the north corner of Seaboard Railroad and Huff Road.  
Depth: Varies  
Area: Approximately 5.36 Acres  
Land Lots: 151 and 188, 17<sup>th</sup> District, Fulton County, Georgia  
Owner: Sisken Steel and Supply Company  
Applicant: Tishman Speyer Archstone-Smith Multifamily Holdings I (Borrower A), LP  
**NPU-D Council District 9**

FAVORABLE - TO BE REFERED TO ZRB AND ZONING COMMITTEE

08-O-1265 ( 3)  
**Z-08-40** An Ordinance by Zoning Committee to rezone from the R-4 (Single-Family Residential) District to the R-LC (Residential Limited Commercial) District, property located at **1095 North Avenue, NE**, fronting approximately 49.63 feet on the south side of North Avenue, beginning 225 feet from the southeast corner of North Highland.  
Depth: Approximately 175 Feet  
Area: Approximately 0.198 Acre  
Land Lot: 15, 14<sup>th</sup> District, Fulton County, Georgia  
Owner: Ryan Florence  
Applicant: Eric J. Kronberg  
**NPU-N Council District 6**

FAVORABLE - TO BE REFERED TO ZRB AND ZONING COMMITTEE

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## CONSENT AGENDA

### C. ORDINANCES FOR FIRST READING

08-O-1266 ( 4)  
**Z-08-41**

An Ordinance by Zoning Committee to rezone from the R-5 (Two-Family Residential) District to the C-1 (Community Business) District, property located at **328-336 Ormond Street, SE and 831-835 Grant Street, SE**, fronting approximately 110 feet on the south side of Ormond Street beginning 99.75 feet from the northwest corner of Grant Street and Ormond Street .

Depth: Approximately 99.75 Feet  
 Area: 0.252 Acre  
 Land Lots: 15 and 16, 14<sup>th</sup> District, Fulton County, Georgia  
 Owner: Grant@Ormond, LLC  
 Applicant: Linda Medsker  
**NPU-W Council District 1**

FAVORABLE - TO BE REFERED TO ZRB AND ZONING COMMITTEE

08-O-1267 ( 5)  
**Z-08-42**

An Ordinance by Zoning Committee to rezone from the RG-2-C (Residential General Sector 2-Conditional) District to the RG-3 (Residential General-Sector 3) District, property located at **2690 Lenox Road, NW and 970 Sydney Marcus Boulevard, NE**, fronting approximately 49.60 feet on the southwestern corner of Lenox Road and Canterbury Road.

Depth: Varies

Area: Approximately 2.757 Acres

Land Lot: 6, 17<sup>th</sup> District, Fulton County, Georgia

Owner: Selig Enterprises, Inc. and Lenox Villas Development, L.P. (Julian LeCraw and Company, Inc.)

Applicant: Core Development Group

**NPU-B** **Council District 7**

FAVORABLE - TO BE REFERED TO ZRB AND ZONING COMMITTEE

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## CONSENT AGENDA

**C. ORDINANCES FOR FIRST READING (CONT'D)**

08-O-1268 ( 6)  
**Z-08-43**

An Ordinance by Zoning Committee to rezone from the R-4A (Single-Family Residential)/HD16-20G (West End Historic) Districts to the R-LC (Residential Limited Commercial)/HD16-20G (West End Historic) Districts, property located at **593 Culberson Street, SW**, fronting approximately 54 feet on the west side of Culberson Street.

Depth: Approximately 118 Feet  
 Area: Approximately 0.136 Acre  
 Land Lot: 117, 14<sup>th</sup> District, Fulton County, Georgia  
 Owner: Jennifer Winfrey  
 Applicant: Janice M. White

**NPU-T** **Council District 4**

FAVORABLE - TO BE REFERED TO ZRB AND ZONING COMMITTEE

08-O-1269 ( 7)  
**Z-08-44**

An Ordinance by Zoning Committee to rezone from the R-4 (Single-Family Residential) District to the C-1 (Community Business) District, property located at **1398 Metropolitan Parkway, SW**, fronting approximately 54.30 feet on the east side of Metropolitan Parkway and approximately 133 feet north of the intersection of Metropolitan and Lynnhaven Drive.

Depth: 197 Feet  
 Area: 0.2455 Acre  
 Land Lot: 88, 14<sup>th</sup> District, Fulton County, Georgia  
 Owner: Andrea Jones  
 Applicant: Andrea Jones

**NPU-X** **Council District 12**

FAVORABLE - TO BE REFERED TO ZRB AND ZONING COMMITTEE

08-O-1270 ( 8) An Ordinance by Zoning Committee to rezone from the I-1-C  
**Z-08-45** (Light Industrial-Conditional) District to the MRC-3 (Mixed  
 Residential Commercial) District, property located at  
**777,767,793 and 833 Memorial Drive, SE and 810 Old**  
**Flat Shoals Road, SE**, fronting approximately 425 feet on

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CONSENT AGENDA

C. ORDINANCES FOR FIRST READING (CONT'D)

the south side of Memorial Drive and approximately 858 feet on the east side of Pearl Street and approximately 498 feet on the north side of Old Flat Shoals Road.

Depth: Varies  
Area: Approximately 9.17 Acres  
Land Lot: 21, 14<sup>th</sup> District, Fulton County, Georgia  
Owner: Calvin Covington and You Hyung Lee  
Applicant: Brand Properties c/o M. Hakim Hilliard  
**NPU-N Council District 5**

FAVORABLE - TO BE REFERED TO ZRB AND ZONING COMMITTEE

08-O-1271 ( 9)  
**Z-08-46** An Ordinance by Zoning Committee to amend Ordinance 87-O-0273 which rezoned property located at **2770 Lenox Road, NE**, from the R-3 (Residential) District to P-DH (Planned Development-Housing) District, for the purpose of a Site Plan Amendment.  
**NPU-B Council District 7**

FAVORABLE - TO BE REFERED TO ZRB AND ZONING COMMITTEE

08-O-1272 (10)  
**U-08-22** An Ordinance by Zoning Committee granting a Special Use Permit pursuant to Section 16-18K.004 (3)(a) for a Daycare Center, property located at **222 Walnut Street, NW**, fronting approximately 64 feet on the west side of Walnut Street.  
Depth: Varies  
Area: Approximately 0.146 Acre  
Land Lot: 83, 14<sup>th</sup> District, Fulton County, Georgia  
Owner: Carnell Thomas  
Applicant: Barbara G. Thomas  
**NPU-L Council District 3**

FAVORABLE - TO BE REFERED TO ZRB AND ZONING COMMITTEE

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D. ZRB SUMMARY REPORT

E. PAPERS HELD IN COMMITTEE

06-O-0273 ( 1)     An Ordinance by Councilmembers Carla Smith, Ivory Lee Young, Jr. and Cleta Winslow correcting Ordinance Number 04-O-0179/Z-04-24 which amended Section 16-29.001(16) "Human Services" including Personal Care Homes, Rehabilitation Centers and Nursing Homes by clarifying and/or redefining certain terms; and for other purposes. **(Held 2/1/06 for further review)**

HELD

06-O-0007 ( 2)  
Z-05-65     An Ordinance by Councilmember Carla Smith **as amended by Zoning Committee** to rezone the portion of the property located at **1821 W. Anderson Avenue** that is zoned R-4 (Single Family Residential) to the O-I (Office Institutional) Classification, to issue a Special Use Permit for the subject property; and for other purposes. **(Held 6/28/06 at the request of Councilmember of the District)**

HELD

06-O-0022 ( 3)  
U-05-22     An Ordinance by Councilmember Carla Smith to issue a Special Use Permit for a Nursing Home at **1821 W. Anderson Avenue (a.k.a. 31 Anderson Avenue)**; to waive the 2,000 foot distance requirement for this location; and for other purposes. **(Held 6/28/06 at the request of Councilmember of the District)**

HELD

06-O-0955 ( 4)  
Z-06-44     A **Substitute** Ordinance by Zoning Committee to rezone from the I-1-C (Light Industrial-Conditional) District to the MR5-A (Multi-Family Residential) District, property located at **1155 Hill Street, SE**, fronting approximately 350 feet on the west side of Hill Street and approximately 272 feet on the north side of Englewood Avenue. **(Held 11/1/06 at the request of District Council Person)**

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**PAPERS HELD IN COMMITTEE (CONT'D)**

Depth: Varies  
Area: Approximately 8.719 Acres  
Land Lot: 55, 14<sup>th</sup> District, Fulton County, Georgia  
Owner: Jack and Harvey Taffel  
Applicant: Chaz E. Waters/Skyline Partners, LLC.  
**NPU-Y Council District 1**

**HELD**

- 06-O-1927 ( 5) An Ordinance by Councilmembers Howard Shook, H. Lamar Willis, Jim Maddox and Ceasar C. Mitchell **as substituted by Zoning Committee** to amend the 1982 Zoning Ordinance of the City of Atlanta, As Amended, so as to create a New Chapter to be entitled, 8B, Fulton County Townhouse Residential; to establish design guidelines for said District; to enact, by reference and incorporation, a Map establishing the boundaries of said District for the Cascade Glenn; to amend the City of Atlanta Zoning Maps; to modify the zoning process for annexations; and for other purposes.  
**(Forwarded with no recommendation by Zoning Committee 9/13/06) (Referred back by Council 12/04/06) (Held 12/13/06 for further review)**

**HELD**

- 07-O-0396 ( 6)  
**CDP-07-09** An Ordinance by Community Development/Human Resources Committee to amend the Land Use Element of the City of Atlanta 2004-2019 Comprehensive Development Plan (CDP) so as to re-designate property that is located at **349 14<sup>th</sup> Street**, from the "Low Density Commercial" Land Use Designation; to the "Mixed-Use" Land Use Designation; and for other purposes. **(1<sup>st</sup> Quarter CDP Public Hearing held 3/12/07) (Held 3/13/07 awaiting companion Zoning legislation) (Favorable by CD/HR Committee 3/27/07) (Held 3/28/07 at the request of the applicant)**  
**NPU-E Council District 2**

**HELD**

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### PAPERS HELD IN COMMITTEE (CONT'D)

07-O-0148 ( 7)  
**Z-06-138**

An **Amended** Ordinance by Zoning Committee to rezone from the C-2 (Commercial Service) District to the MRC-3-C (Mixed Residential-Commercial Conditional) District, property located at **349 Fourteenth Street, NW**, fronting approximately 134 feet on the south side of 14<sup>th</sup> Street, at the southwest corner. **(Held 3/28/07 at the request of the applicant)**

Depth: Approximately 152 Feet  
 Area: Approximately 0.47 Acre  
 Land Lot: 149, 17<sup>th</sup> District, Fulton County, Georgia  
 Owner: Julian W. Rikard  
 Applicant: Michael Gamble

**NPU-E** **Council District 2**

**HELD**

06-O-1445 ( 8)  
**Z-06-74**

An Ordinance by Zoning Committee to rezone from the R-G-3 (Residential General-Sector 3) District to the PD-MU (Planned Development-Mixed Use) District, property located at **3700 Martin Luther King, Jr. Drive, SW**, fronting approximately 474.25 feet on the south side of Martin Luther King, Jr. Drive beginning approximately 183 feet from the southwest corner of Adamsville Drive. **(Held 5/2/07 at the request of Councilmember of the District)**

Depth: Varies  
 Area: Approximately 27 Acres  
 Land Lot: 15, 14<sup>th</sup> District, Fulton County, Georgia  
 Owner: Atlanta Neighborhood Development Partnership  
 Applicant: Marvin Greer

**NPU-H** **Council District 10**

## HELD

06-O-2308 ( 9) An Ordinance by Zoning Committee to rezone  
**Z-06-113** from the SPI-6 (Poncey Highland Special Public Interest)  
 District to the C-1 (Community Business) District, property  
 located at **863 Ponce de Leon (rear), NE**, fronting  
 approximately 63 feet on the east side of Barnett Street,  
 beginning 150 feet from the westerly corner of Barnett Street  
 and Ponce de Leon Avenue. **(Filed by ZRB**



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**PAPERS HELD IN COMMITTEE (CONT'D)**

**and Zoning Committee 5/20/07) (Referred by back by  
Full Council 6/4/07) (Held 6/13/07)**

Depth: Approximately 74 Feet

Area: Approximately 0.861 Acre

Land Lot: 17, 14<sup>th</sup> District, Fulton County, Georgia

Owner: Robert T. Budd

Applicant: Kevin A. Ross

**NPU-N**

**Council District 2**

**HELD**

**07-O-1910 (10)  
Z-07-99**

An Ordinance by Councilmember Carla Smith to  
rezone the properties located at **760 Confederate Avenue,  
also known as 766 Confederate Avenue and 750  
Confederate Avenue** from the R-5 (Two Family Residential  
District) District to the C-1-C (Community Business District  
Conditional); to modify the Official Zoning Maps; and for  
other purposes. **(Held 11/28/07)**

**HELD**

**06-O-1888 (11)  
CDP-06-65**

An Ordinance by Community Development/Human  
Resources Committee to amend the Land Use Element of the  
City of Atlanta's 2004-2019 Comprehensive Development  
Plan (CDP) so as to re-designate property located at **3700  
Martin Luther King, Jr. Drive, SW**, from the "Medium  
Density Residential" Land Use Designation to the "Mixed-  
Use" Land Use Designation; and for other purposes. **(Public  
Hearing held 9/11/06) (Filed by CD/HR Committee  
11/27/07)**

**NPU-H**

**Council District 1**

**HELD**

**07-O-2300 (12)  
CDP-07-42**

An Ordinance by Community Development/Human  
Resources Committee to amend the Land Use Element of the  
City of Atlanta 2004-2019 Comprehensive Development Plan  
(CDP) so as to re-designate property that is located at **760  
Confederate Avenue**, from the "Low Density Residential"  
Land Use Designation to the "Low Density Commercial" Land  
Use Designation; and for other purposes. **(Held**

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**PAPERS HELD IN COMMITTEE (CONT'D)**

**11/13/07) (CDP Amendment Public  
Hearing held 11/26/07) (Favorable by CD/HR Committee  
11/27/07)  
NPU-W Council District 1**

**HELD**

07-O-2594 (13) An Ordinance by Councilmember Kwanza Hall requesting that Chapter 28A.010 of the Code Ordinances, the Sign Ordinance, Subsection (12) Special Public Interest District 1 (Central Core) District of the City of Atlanta Zoning Ordinance be waived to allow for the construction of two (2) Signs at 100 Auburn Avenue, NE; and for other purposes. **(Held 12/12/07)**

**HELD**

06-O-2697 (14) An Ordinance by Councilmember Carla Smith to amend  
**Z-06-144** Chapter 28 of Part 16 of the Atlanta City Land Development Code to provide for density increases in exchange for affordable workforce housing; to define certain terms; to provide limitations and requirements; and for other purposes. **(Held 1/30/08)**

**HELD**

07-O-1620 (15) An Ordinance by Zoning Committee to rezone certain  
**Z-07-92** properties within the BeltLine Overlay District from R4-A (Single Family Residential) and RG-3 (Residential General-Sector 3) Districts to MR-4A (Multifamily Residential) District; and for other purposes. **(Held 2/13/08)**

**HELD**

08-O-0306 (16) An **Amended** Ordinance by Zoning Committee to rezone  
**Z-08-02** from the R-4 (Single-Family Residential), RG-1 (Residential General-Sector 1) and C-1 (Community Business) Districts to the I-1-C (Light Industrial-Conditional) District, for various properties bounded by Simon Street on the north, Ruby Harper Boulevard (a.k.a. Gilbert Road) on the east, Southside Industrial Parkway (a.k.a. Poole Creek Road) on the south. Property fronts approximately

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**PAPERS HELD IN COMMITTEE (CONT'D)**

751 feet on the east side of Ruby Harper Boulevard at the northeast corner of Ruby Harper Boulevard and Southside Industrial Parkway. **(Held 4/2/08)**

Depth: Varies

Area: Approximately 22.85 Acres

Land Lot: 33, 14<sup>th</sup> District, Fulton County, Georgia

Owner: The Housing Authority of the City of Atlanta/City of Atlanta Department of Aviation/Annie McClendon

Applicant: Atlanta Economic Renaissance Corporation/AMB Property Corporation

**NPU-Z**

**Council District 12**

**HELD**

08-O-0098 (17)  
**Z-07-122**

An Ordinance by Zoning Committee to rezone from the I-2 (Heavy Industrial) District to the MR5-A-C (Multi-Family Residential-Conditional) District, property located at **575 14<sup>th</sup> Street, NW**, fronting approximately 470 feet on the west side of Mecaslin Street, beginning approximately 100 feet from the southwest intersection of Mecaslin and Sixteenth Street. **(Held 7/2/08)**

Depth: Varies

Area: Approximately 7.141 Acres

Land Lots: 148 and 149, 17<sup>th</sup> District, Fulton County, Georgia

Owner: Georgia Tech Foundation

Applicant: Pollack Partners

**NPU-E**

**Council District 3**

**SUMMARY REPORT**  
July 2, 2008

<b>LEGISLATION NUMBER</b>	<b>ZONING NUMBER</b>	<b>LOCATION (NPU/CD)</b>	<b>CHANGE</b>	<b>STAFF RECOMM.</b>	<b>NPU RECOMM.</b>	<b>ZRB RECOMM</b>
<b><u>FAVORABLE</u></b>						
08-O-0529	Z-08-21	Text Amendment M-2	Regulating signage allowed in the Downtown Special Public Interest District (SPJ)	Approval	Approval	Approval
Councilmember Shook made a motion to approve. The vote was unanimous.						
08-O-0650	Z-08-22	Text Amendment A-8	Exceptions from the Street Numbering System	Approval	Approval	Approval
Councilmember Shook made a motion to approve. The vote was unanimous.						
<b><u>FAVORABLE AS AMENDED</u></b>						
06-O-1950	Z-06-92	575 Boulevard, SE (aka 578 Rosalia Street, SE) W-1	R-5/HD-20K, SA1 to MRC-1-C/HD-20K, SA1	Approval Conditional	Approval Conditional	Approval Conditional
Councilmember Shook made a motion to approve as amended. The vote was unanimous.						
<b><u>ADVERSE</u></b>						
08-O-0523	U-08-09	377 Westchester Blvd., NW J-3	Special Use Permit for a Rehabilitation Center	Denial	Approval	Denial
Councilmember Shook made a motion to adverse. The vote was unanimous.						
08-O-0864	U-08-13	564 Hope Street, SW V-4	Special Use Permit for a Personal Care Home	Denial	Deferral	Denial
Councilmember Shook made a motion to adverse. The vote was unanimous.						


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LEGISLATION NUMBER	ZONING NUMBER	LOCATION (NPU/CD)	CHANGE	STAFF RECOMM.	NPU RECOMM.	ZRB RECOMM
<b>FILE</b>						
08-O-0559	Z-08-23	14F0039L0282 (aka 4345 Pompey Dr.) , 14F00390002006 (aka 4330 Pompey Dr.) , 14F00390002004 (aka 4350 Pompey Dr.) , 14F0039L0373 (aka 4335 Pompey Dr.) , 14F00390002003 (aka 4360 Pompey Dr.) , 14F00390002005 (aka 4340 Pompey Dr.) , 14F00390002002 (aka 3595 Old Fairburn Road), 14F0039L0142, 14F0039L032, 14F0039L031, and 14F0039L033	Fulton County R-4 to City of Atlanta R-2A	File	Not Applicable	File
Councilmember Shook made a motion to file. The vote was unanimous.						
08-O-0842	Z-08-18	1175 Chattahoochee Avenue, NW D-9	I-2 to MRC-3	Deferral	Denial	File
Councilmember Shook made a motion to file. The vote was unanimous.						

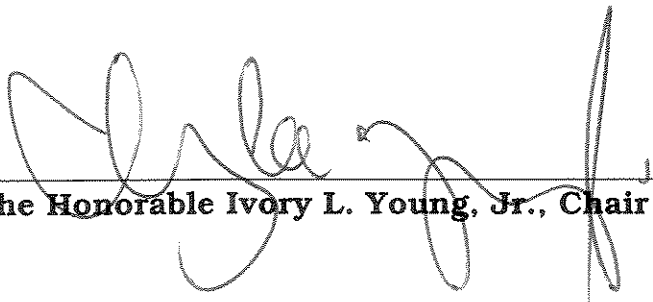
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**There being no further business to come before the Zoning Committee the meeting was adjourned at 11:35 a.m.**

**Respectfully submitted:**

  
\_\_\_\_\_  
**Angela H. Campbell, Legislative Secretary**

  
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**Alfred Berry, Jr., Research & Policy Analyst**

  
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**The Honorable Ivory L. Young, Jr., Chair**